

ORDINANCE NO. 12-718

AN ORDINANCE of the City of Federal Way, Washington, relating to Complete Streets: adding a new section to FWRC 19.135. (Amending Ordinance Nos. 10-625, 09-630, 07-554, 06-515, 02-417, 02-414, 00-363, 98-330, and 90-43)

WHEREAS, the City recognizes the need to periodically modify Title 19 of the Federal Way Revised Code (FWRC), "Zoning and Development Code," in order to conform to state and federal law, codify administrative practices, clarify and update zoning regulations as deemed necessary, and improve the efficiency of the regulations and the development review process; and

WHEREAS, this ordinance, containing amendments to development regulations and the text of Title 19 FWRC, has complied with Process VI review, chapter 19.80 FWRC, pursuant to chapter 19.35 FWRC; and

WHEREAS, it is in the public interest for the City Council to adopt a new Complete Streets policy which establishes provision for the reasonable and appropriate accommodation for pedestrians, bicyclists, and transit passengers of all ages and abilities, as well as trucks, buses and automobiles within the City of Federal Way; and

WHEREAS, the term "Complete Streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel for all users, including pedestrians, bicyclists, motor vehicle drivers, and public transit users; and

WHEREAS, walking and biking enhances health through physical activity and helps to reduce air pollution; and

WHEREAS, Federal Way's Comprehensive Plan Transportation Element goals include providing a connected system of pedestrian and bicycle ways that is integrated into a coordinated regional network as well as providing for an enhanced high capacity transit system; and

WHEREAS, Federal Way's Comprehensive Plan Transportation Element policies support increased access to alternative modes of transportation and emphasize transportation safety and efficiency; and

WHEREAS, the City of Federal Way is developing a citywide Bicycle and Pedestrian Master Plan that addresses increased mobility for pedestrians and bicyclists, and increased access to transit; and

WHEREAS, the Planning Commission conducted a workshop session on this code amendment on May 18, 2011; and

WHEREAS, an Environmental Determination of Nonsignificance (DNS) was properly issued for the Proposal on November 26, 2011, and no comments or appeals were received and the DNS was finalized on December 27, 2011; and

WHEREAS, the Planning Commission properly conducted a duly noticed public hearing on these code amendments on December 7, 2011; and forwarded a recommendation of approval with modification to the City Council as follows: (1) delete the word "their" from proposed sections 19.135.205(2)(a) and (2)(c); and

WHEREAS, the Land Use Transportation Committee of the Federal Way City Council considered these code amendments on January 9, 2012, and recommended adoption of the text amendments as recommended by the Planning Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FEDERAL WAY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council of the City of Federal Way makes the following findings with respect to the proposed amendments.

(a) These code amendments are in the best interest of the residents of the City and will benefit the City as a whole by reinforcing the city's commitment to ensuring infrastructure improvements are made with the consideration for safe and convenient travel for multiple modes.

(b) These code amendments comply with Chapter 36.70A RCW, Growth Management.

(c) These code amendments are consistent with the intent and purpose of Title 19 FWRC and will implement and are consistent with the applicable provisions of the Federal Way Comprehensive Plan.

(d) These code amendments bear a substantial relationship to, and will protect and not adversely affect, the public health, safety, and welfare.

(e) These code amendments have followed the proper procedure required under the FWRC.

Section 2. Conclusions. Pursuant to chapter 19.80 FWRC and chapter 19.35 FWRC, and based upon the recitals and the findings set forth in Section 1, the Federal Way City Council makes the following Conclusions of Law with respect to the decisional criteria necessary for the adoption of the proposed amendments:

(a) The proposed FWRC amendments are consistent with, and substantially implement, the following Federal Way Comprehensive Plan goals and policies:

TP3 Provide integrated, multiple travel options to residents and workers, especially those with disabilities that are also effective alternatives to the SOV.

TP9 Identify and implement changes to the transportation system that reduces reliance on the single occupant vehicle. Support state, regional, and local visions and policies.

TP31 Integrate the traffic circulation network with high capacity transit, HOV, bicycle, and pedestrian networks with consideration to regional system needs, including air and port facilities.

TP38 Include sufficient area in rights-of-way for bike lanes, sidewalks, and landscaped medians to provide separation from motorized traffic as funds allow. Use landscaped medians to separate opposing traffic when safety and aesthetic purposes dictate the need.

TG4 Enhance community livability and transportation by providing a connected system of pedestrian and bicycle ways that is integrated into a coordinated regional network.

TP50 Provide sidewalks on both sides of all arterial streets as funding allows.

TP51 Provide a one-mile grid of bicycle facilities connecting major activity centers recreational facilities, and schools.

TP52 Incorporate pedestrian and bicycle features as design elements in the City Center as reflected in the FWCP Vision and City Center Street Design Guidelines.

TP53 Ensure that City facilities and amenities are ADA compatible.

TP54 Work to extend the existing system of sidewalks, bikeways, and equestrian ways in the city to provide safe access to public transit, neighborhood and business centers, parks, schools, public facilities, and other recreational attractions.

(b) The proposed FWRC amendment bears a substantial relationship to the public health, safety, and welfare because it ensures that transportation improvements consider the safety and mobility of all modes of travel, and the varying abilities of citizens to move throughout the community. Overall public health is improved when people have the ability to move throughout the community safely and easily on foot and bicycle.

(c) The proposed amendment is in the best interest of the public and the residents of the City of Federal Way because complete streets are focused on increased safe and convenient movement of people using all modes of travel. Complete streets also support economic development as access to commercial areas and between neighborhoods and commercial areas is enhanced with greater emphasis on connectivity. Livability is improved as it becomes easier to move about the community.

Section 3. Chapter 19 of the Federal Way Revised Code is hereby amended to add a new section 19.135.205 *Complete Streets* to read as follows:

19.135.205 Complete Streets.

(1) Complete Streets Policy.

The City of Federal Way will plan for, design, and construct all new and retrofitted transportation projects to provide reasonable and appropriate accommodation for pedestrians, bicyclists, and transit passengers of all ages and abilities, as well as trucks, buses, and automobiles, with a goal of street connectivity that creates a comprehensive, integrated, connected network for all modes.

(2) Exceptions.

Facilities for bicyclists, pedestrians, transit users and /or persons of all abilities are not required to be provided:

- (a) Where establishment would be contrary to public safety;
- (b) Where there is no identified long term need, as established in city plans and future travel demand models;
- (c) Where inclusion in a small project would create a very short section of improvements with problematic transitions on either end, or that are unlikely to be followed by similar improvements at either end, resulting in little progress on implementing multi-modal networks as set forth in the transportation chapter of the Federal Way Comprehensive Plan; and/or
- (d) Where a modification, deferment, or waiver to the requirements of this chapter has been granted by the public works director per FWRC 19.135.070.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to any other persons or circumstances.

Section 5. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 7. Effective Date. This ordinance shall be effective five (5) days after passage and publication as provided by law.

PASSED by the City Council of the City of Federal Way this 21st day of February, 2012.

CITY OF FEDERAL WAY


MAYOR, SKIP PRIEST

ATTEST:


CITY CLERK, CAROL MCNEILLY, CMC

APPROVED AS TO FORM:


CITY ATTORNEY, PATRICIA A. RICHARDSON

FILED WITH THE CITY CLERK:	1-31-2012
PASSED BY THE CITY COUNCIL:	2-21-2012
PUBLISHED:	2-24-2012
EFFECTIVE DATE:	2-29-2012
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